

MINUTES

THE WEST VIRGINIA BOARD OF MANUFACTURED HOUSING CONSTRUCTION AND SAFETY

September 22, 2021

The West Virginia Board of Manufactured Housing Construction and Safety met September 22, 2021 via teleconference at 1900 Kanawha Boulevard East, State Capitol Complex - Building 3 Room 200 - Charleston, West Virginia at 10:00 a.m.

BOARD MEMBERS PRESENT

Commissioner Mitchell E. Woodrum, Chair
Thomas Belasco
Johnnie Brown
Richard Casto
Steven Solomon

BOARD MEMBERS ABSENT

George Gunnell
Gary Shaw

OTHERS PRESENT

Brooke M. Farber, Deputy Commissioner
Brian White, Labor Program Manager
Kimberly Legg, Board Secretary
Christopher Evans, Field Inspector
Scott Elswick, Field Inspector

MEETING CALLED TO ORDER

A quorum being present, Mr. Woodrum called the meeting to order at 10:00 a.m.

APPROVAL OF AGENDA

Mr. Solomon made a motion to approve the agenda. Mr. Casto seconded. Motion carried.

APPROVAL OF MINUTES

Approval of the June 24, 2021 board meeting minutes.

Mr. Casto made a motion to approve the minutes. Mr. Solomon seconded. Motion carried.

PUBLIC COMMENT

No one appeared for public comment.

DISCIPLINARY HEARINGS

The hearings are for licensees that failed to protest violation issued within ten (10) days from receipt of violation or protested violation and was denied, and the Board will hear evidence pertaining to fines and/or penalties on those violations.

21-DISC-008 – Frankie Osborne DBA Buck & Sons – WV00887. Violated §42-CSR-10A.2(a)(i) and §42-CSR-19-14.1(o) – Failure to install a manufactured home in accordance with state or federal standard.

No one appeared on behalf of Buck & Sons but a written response was submitted.

Mr. White presented evidence and recommended a **\$500.00 fine for failing to install a manufactured home in accordance with state or federal standard with an order to correct within fifteen (15) days from receipt of order or license will be suspended.**

Mr. Brown made a motion to accept staff recommendation. Mr. Belasco seconded. Motion carried.

21-DISC-009 – CMH Homes, Inc. DBA Clayton Homes #1028 – WV01165. Violated §42-CSR-10A.2(a)(i) and §42-CSR-19-14.1(o) – Failure to install a manufactured home in accordance with state or federal standard.

No one appeared on behalf of Clayton #1028 but a written response was submitted.

Mr. White presented evidence and recommended a **\$300.00 for failing to install a manufactured home in accordance with state or federal standard.**

Mr. Brown made a motion to accept staff recommendation. Mr. Solomon seconded. Motion carried.

DISCIPLINARY HEARINGS – QUARTERLY REPORTS

1. Disciplinary Hearings – Quarterly Reports – 2nd Quarter 2021

*** Correspondence from company attached

21-DISC-QTR083	Tristate Showcase Homes	FTC
21-DISC-QTR084	Carl Frye's Housing, Inc.	FTC
21-DISC-QTR085	United Contracting, Inc.	FTC
21-DISC-QTR086	Mountain State Heating & Cooling, LLC	FTC
21-DISC-QTR087	Highland Mobile Home Services, Inc.	FTC
21-DISC-QTR088	El Cheapo's Mobile Home Moving	FTC
21-DISC-QTR089	Mobile Home Services, LLC	FTC
21-DISC-QTR090	Watterson's Mobile Home Movers	FTC
21-DISC-QTR091	Jordan Heating and Cooling	FTC
21-DISC-QTR092	L & L Mobile Home Transport	FTC
21-DISC-QTR093	T&M Cooling & Heating, LLC	FTC

21-DISC-QTR094	A and B General Contracting	FTC
21-DISC-QTR095	Moon's Mobile Home Movers	FTC
21-DISC-QTR096	Lawson's Construction	FTC
21-DISC-QTR097	Rocky Mount Mobile Home Movers, Inc.	FTC
21-DISC-QTR098	Environmental Compliance, Inc. DBA ECI	FTC
21-DISC-QTR099	Stowers and Company	FTC
21-DISC-QTR100	In A Flash Plumbing Heating & AC, LLC	FTC
21-DISC-QTR101	C & G Contracting, LLC	FTC
21-DISC-QTR102	Leonard Trivitt	FTC
21-DISC-QTR103	Ignite Contractors, LLC	FTC
21-DISC-QTR104	Certified Repairs	LATE \$25.00
21-DISC-QTR105	JCMH Enterprises	LATE \$25.00

Mr. Casto made a motion to approve the 2nd Quarter 2021 staff recommendations for licensees: \$25.00 for filing the report late. Mr. Solomon seconded. Motion carried. The Board discussed fine recommendations based on number of previous violations for failing to submit the quarterly report and settled on the following amounts: 0-10, \$50.00; 11-30, \$100.00; and 31+, \$250.00.

Mr. Solomon made a motion to approve the fine recommendations for companies failing to file the report. Mr. Belasco seconded. Motion carried with Mr. Brown recusing himself from A and B General Contracting, 21-DISC-QTR094.

DISCIPLINARY HEARINGS – CEASE AND DESIST ORDERS

CD21-227 Gary May – Unlicensed. Violated §21-9-12a – Engaging in manufactured housing business activities in the State of West Virginia without a valid license.

No one appeared on behalf of Gary May.

Mr. White presented evidence and recommended a **\$1,000.00** for the violation cited.

Mr. Casto made a motion to accept staff recommendation. Mr. Brown seconded. Motion carried.

LICENSE APPLICATIONS

Contractor

Jones Foundation Service, LLC (New Application)
16 Victoria Drive
Sandyville, WV 25275

Southern Ohio Construction, LLC (Re-Application)
20416 State Route 772
Waverly, OH 45690

Precision HVAC, Inc. DBA Precision Heating & Cooling (Re-Application)
111 W. 3rd Avenue
Williamson, WV 25661

ADJOURNMENT

Mr. Solomon made a motion to adjourn. Mr. Belasco seconded. Motion carried. Meeting adjourned at 10:51 a.m.

Approved:

A handwritten signature in blue ink that reads "Mitchell E. Woodrum". The signature is written in a cursive style with a horizontal line underneath the name.

Mitchell E. Woodrum, Chair